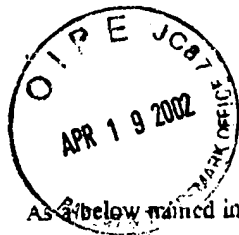


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ORIGINALLY FILED10/03/547  
96-031CON2

#3



## Declaration, Power of Attorney, and Petition

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NETWORK ACCELERATOR

which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

### Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, §§119 and 120 of any United States application(s) or provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

08/659,482  
(Serial No.)

6/6/1996  
(Filing Date)

ABANDONED  
(Status)

09/705,114  
(Serial No.)

11/2/2000  
(Filing Date)

PENDING  
(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint

**GEORGE A. HERBSTER** -- Reg. No. 24,002  
**40 BEACH STREET, SUITE 303, MANCHESTER, MA 01944**  
**Tel: (978) 526-8111**  
**JOHN M. GUNTHER** -- Reg. No. 26,175  
**LEANNE J. FITZGERALD** -- Reg. No. 40,606  
**WILLIAM R. CLARK** -- Reg. No. 29,523  
**PENELOPE S. WILSON** -- Reg. No. 29,751  
**KRISHNENDU GUPTA** -- Reg. No. 37,977  
**ROBERT KEVIN PERKINS** -- Reg. No. 36,634  
**EMC CORPORATION**  
**35 PARKWOOD DRIVE, HOPKINTON, MA 01748**

my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

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Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of inventor

Allan Scherr

Inventor's signature

Residence

Citizenship

Post Office Address

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United States of America

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Date:

11 MAR 2002

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